EXAMINATION OF PROF. PENNIMAN

Grounds on Which Acquittal is Expected.

NO IRRELEVANT TESTIMONY

Special Dispatch to The Evening Star.

LA PLATA, Md., July 11.—An unlimited number of scientific names, together with a conglomeration of chemical, toxicological al Dispatch to The Evening Star. and patholigical verbiage, bewildering to the average spectator, and certainly tending to confuse the minds of the members of the jury as to the cause of death of the late Frederick Farrall, were the principal matters developed at the session this morning of the trial of Mrs. Belle Farrall,

At the opening of court Prof. W.D. Penni-man of Baltimore, who was called by the defense yesterday afternoon, resumed the stand for a continuance of cross-examination. The questioning was long drawn out and marked by frequent objections on the part of counsel for Mrs. Farrall, and also by repeated requests by the state that the witness make direct answers and not go into long dissertations, followed by rather caustic replies from Prof. Penniman to the effect that proper answers would be made if counsel should put the queries in an in-

telligent form.

The situation waxed lively when, after The situation waxed lively when, after an objection by the defense to a certain question, Mr. Mitchell said: "According to Dr. Penniman it is impossible to convict a criminal by showing that poison was present in the body of his victim, and now we desire to test the knowledge of this new disciple in chemistry. I don't propose to sit here and allow people to be humburged by the statements of this witness."

Col. Wilmer was on his feet in an instant

ged by the statements of this witness."

Col. Wilmer was on his feet in an instant and vigorously noted an exception to the remarks of the state's attorney.

Shortly before noon Prof. Penniman was excused and his place on the stand was taken by J. Benjamin Dyson. The latter testified that Mr. Farrall on the Friday preceding his death stated to the witness that he did not expect to live long although that he did not expect to live long, although he was then feeling as well as at any time in his life.

in his life.

Affred and Fred Bowling, clerks in a Hughesville store, stated that the Farralls had never purchased a poisonous drug at their establishment, and then Dr. George E. Mudd, a physician, who has practiced in Charles county since the year 1848, was sworn.

He was asked if the fatal termination of a case of strychning noison would be

He was asked if the fatal termination of a case of strychnine poison would be delayed by the administration of a dose of morphine, and replied that it would not. The state, it will be remembered, attempted to prove that morphine, as it was hypodermically injected into the system of Fred'k Farrall by Dr. Carrico on the night of his subjects would have a tandency to prolong Farrall by Dr. Carrico on the night of his illness, would have a tendency to prolong life. The witness added that there was no recognized antidote to strychnine poisoning in existence. The same hypothetical question asked Dr. Ames covering the case of a man of about forty-eight years of age in apparent good health up to the time he was taken sick, and who admitted that he had been drinking a good deal of

time he was taken sick, and who admitted that he had been drinking a good deal of whisky, and whose symptoms were similar to those of Mr. Farrall, was put to Dr. Mudd, who stated that in his opinion death in such an instance would not be due to strychnine poisoning.

As with the other witnesses, the cross-examination of Dr. Mudd was long and searching. He occupied the remainder of the morning session, continuing on the stand until recess was taken at 1 o'clock. It is now an established fact that the de-It is now an established fact that the dethis now an established race that the de-fense expects an acquittal only on its claim that the deceased did not come to his death because of strychrine poisoning. The calm, confident appearance of Mrs. Far-rall was unchanged today, but the same look of pain continues clearly defined on

aunt of Joseph Myers, the boy who gave important testimony for the defense yesterday tending to prove that Hall did not live with Mrs. Farrall at the house 1196 O street southeast, Washington, D. C., arrived in La Plata and occupied a seat beside the prisoner throughout the afternoon session. It was the first time during the trial that Mrs. Farrall was accompanied by any one other than her two little boys and Sheriff Albrittain.

Since the opening of the case for the defense the almost general belief that the jury will return a verdict of not guilty, has naturally been strengthened. As heretofore stated, the disagreement of the experts cannot other than mystify the jury, and the opinion of the family physician that Frederick Farrall died from natural causes will have a strong influence on the twelve men in whose hands resis the decision.

As an instance of the widespread interest the trial has attracted several New York newspapers have sent staff representatives to La Plata.

C. F. C.

DEATH OF JOHN SHEA, JR.

It Was the Result of Injuries Received

Last Christmas. "Johnnie" Shea died last evening at the

residence of his parents, 325 Maryland avenue. John Shea, sr., who has been serving a term in the workhouse for violating the ws, was released this morning, his term of service having expired, and he went at once to the bereaved home.

Some days ago, when it was known that

Johnnie was dying, the father was paroled from the workhouse and was for some time at the bedside of his son. The young man who was about thirty years of age, had never recovered from the effects of a fall train in Pennsylvania two years ago, and the manner of his life was never conducive to longevity. He did not change his ways when his mother turned over a new leaf, and last Christmas day he was

He was going along the avenue, and the story as told now is that he got into an altercation with some one, and either fell or was thrown to the ground. At any rate, he suffered injuries which he is the suffered injuries which has the suffered injuries which he is the suffered injuries which is the he suffered injuries which hastened his end. ne sunered injuries which hastened his end. Dr. Percy Hickling attended him, and Johnnie so far recovered as to be about and on the streets. But lately he began to fail, and toward the end became greatly emaciated. He made no charges against any one, and the stories as to the manner in which he was hurt are so conflicting that it is doubtful if they will ever be unraveled. Dr. Hickling, who was with him toward the close, reported the case to the coroner. The most likely account of the accident was to the effect that Shea stumbled and fell to the ground. This was told by one of Shea's companions on his Christmas outing, and Dr. Hickling said this morning that if the story was repeated he would be inclined to give a certificate of death from natural causes, as he could see no good reason for any other course. Dr. Percy Hickling attended him, and John

The Minors' Committed.

Battle Minor, the colored expressman and his son Clarence, who were arrested for an assault on Policeman Greer of the eighth precinct, June 25, were today committed by Judge Miller for the grand jury.

The injured officer, who spent several days in the hospital, was the principal witness against the Minors. He was attempting to arrest Battle Minor for fast driving assault occurred. Battle Minor was fined \$10 or thirty days for fast driving

Trustee Desired.

Sarah F. Baldwin today filed a bill in equity against Elizabeth B. Luttrell, the widow, and Mary E. and Saidee W. Luttrell, the children of the late Thomas J. Luttrell, for the appointment of a trustee In the place of the deceased, that a deed of trust given by the complainant No-vember 10, 1803, on lot 32, square 878, may be released.

Recommendations Made by the Commissioners Today.

Changes in the Recent Plans-The Prolongation of Vermont Avenue.

The Commissioners today recommended to the highway commission a number of important changes in the street extension

Maj. Powell requested a meeting of the board of Commissioners this morning short-ly after the office opened to consider these matters. The meeting was held in Mai. Powell's room, where the maps of the street extension plan, together with several detailed maps showing the proposed changes, were on exhibition. For hours the Commissioners considered the matter, taking up the suggestions and recommendations one by one and disposing

The first thing decided was to recommend the extension of 6th street through Le Droit Park about one-half square to New Jersey avenue, in order to make the street continuous.

Vermont Avenue Extended. Then, upon recommendation of Maj. Pow-ell, it was decided to urge the extension of Vermont avenue to the Whitney avenue gate to the Soldiers' Home. The avenue will be run its regular width of 130 feet until it reaches New Jersey avenue, where the width will be reduced ten feet, making the avenue 120 feet wide from that point to the Soldiers' Home gate. At the intersection of New Jersey avenue where the width of the avenue is reduced a circle has been recommended. has been recommended in order to mask the width of the avenue as well as a small deflection which takes place at this point. The avenue, according to the present high-way extension plan, terminates at 7th

efreet.

As it is the only one of the city avenues leading to the Soldiers' Home directly from the Executive Mansion, it is considered highly desirable that it should be extended highly desirable that it should be extended unbroken to a nearer entrance to the home. The decrease in width and the small deflection recommended removes the present objections, which formerly applied against the laying out of the avenue beyond 17th street. From a glance at the new extension it is seen that it will not interfere with the Howard University nor the new reservoir.

terfere with the Howard University nor the new reservoir.

Another change recommended is in the prolongation westward of Binney street west of 15th street. The change consists of removing that part of the street five feet north, in order that the roadbed and sidewalk may be on direct lines, and not make jogs at 15th street, as they other-wise would.

The Kalorama Region.

In the Kalorama subdivision an important change has been recommended. The Commissioners now believe that 23d street should be prolonged southward to Sheridan Circle, and north to Belmont road. They nend the abandonment of that por tion of the pian which provides for the widening of Decatur place, which, according to the new recommendation, will remain sixty feet wide.

A further change in this locality consists in the extension northward of 23d street to S street, and in indicating upon the maps an intended Place street from California avenue to Kalcrama street pages to line with

nue to Kalorama street nearly on line with Phelps place.

THE BARBOUR ESTATE.

A New Administrator Asked for by the

When the late James L. Barbour died leaving an estate said to be valued at about \$1,000,000, his son, Harrison S. Barbour, was appointed administrator. The son gave a bond of \$300,000 for the falthful performance of his duties, his bonds men being Horatio Browning, B. Kendall. Oliver Thompson, B. J. Earnshaw, O. G.

death because of strychnine poisoning. The calm, confident appearance of Mrs. Farrall was unchanged today, but the same look of pain continues clearly defined on her face.

Hall Released.

After adjournment last evening the state's attorney directed the sheriff to release Eugene Hall from custody. The alleged paramour of Mrs. Farrall drew the amount due him as witness fee and departed in great glee.

Mrs. Georgiana Burch of Washington, an aunt of Joseph Myers, the boy who gave temportant testimony for the defense yesterday tending to prove that Hall did not the estate was unsatisfactory. Messrs. Frank Hume, N. H. Shea and Chas. E. Bear were appointed a committee to make the investigation, and it is alleged that on the 14th of last month they reported that there was a shrinkage of about \$50,000 in the assets of the firm up to the 10th of last May, about \$20,000 of that sum being in the business of the Washington

being in the business of the Washington Flour and Feed Company.

Upon the submission of the committee's report, it is said that Mr. Barbour declired to resign, and late yesterday afternoon a bill in equity was filed by Mrs. Annie E. Barbour, mother of the administrator, and the other heirs, charging Mr. Barbour with incommetency and institution to business. incompetency and inattention to business, and asking for an accounting by him, the appointment of a receiver, and that he be restrained from removing Mr. John A. Hamilton as manager of the business of the firm of James L. Barbour & Son, and from incurring any liability on behalf of the firm or estate or transferring any of its essets. or estate or transferring any of its assets. The petition was presented to Chief Justice Bingham, who granted a temporary restraining order, returnable next Wednes-

Mrs. Barbour and the heirs also filed in the Probate Court a petition, praying for the removal of Mr. Barbour as administrator of the estate, and that he be require to file an account. His bondsmen petitioner to file an account. His bondsmen petitioned the same court to require Mr. Barbour to give counter security, and in the event of his failure to do so, that the estate be placed in the hands of some other administrator. Chief Justice Bingham directed that a rule issue against Mr. Barbour, requiring him to show cause, Wednesday next, why the two petitions should not be granted.

BAPTISTS IN SESSION.

Cause of Educational Support Dis-

The third and last day's session of the First Washington Baptist Association began in the Mount Moriah Baptist Church today with devotional exercises.

The committee which was appointed to look out for a suitable site for the old folks' home reported that it had been unable to select a proper one, but they hoped to purchase suitable ground in Charles county, in Maryland, and that the matter would be firely determined. would be finally determined by the exe

titve board.

The report of the executive board was submitted and there was a long discussion upon it.

The moderator will tonight announce the new executive board for the ensuing

year.
The afternoon session of the association was devoted to the reports from the Sunday schools in the association.

Rev. George W. Lee of the Vermont Avenue Baptist Church offered strong resolutions reviewing the condition of affairs in the south and condemning the outrages to which the negroes there were subjected.

Death of Mr. J. A. Hutchinson.

Mr. J. A. Hutchinson died this morning at his residence, 115 4th street southeast, o a stroke of apoplexy which he suffered yesterdey. Mr. Hutchinson was private secre-tary to Senator Smith of New Jersey, and was known as one of the most skillful was known as one of the most skillful stenographers in the country. For many years he was the private secretary of the late Senator Kenna of West Virginia. During the early part of the present administration he acted as the assistant to the supervising architect of the treasury. Mr. Hutchinson was also an expert telegraph operator, and at one time served in the Washington bureau of the St. Louis Republic, where he handled the private wire. He possessed the ability to take dictations in shorthand and then send on the wire direct from his stenographic notes. He also handled the private wires of a number of brokerage firms in their dealings with their outside connections, and was

with their outside connections, and was known as a man of sterling integrity and discretion, his whole training fitting him for the positions of confidence and trust which he scrupulously fulfilled.

Arguing Today on the Eckington Road's Case.

BREASTWORK OF BOOKS

The Government's Attorneys Discuss the Law and the Facts.

A DECISION TOMORROW

cupation of New York avenue by the overington Railway Company were heard by Chief Justice Bingham in the Equity Court this morning. There was some delay, owing to the absence of Mr. Rideout, the attorney for the road, who did not arrive until 10:30 c'clock, and was soon followed by a couple of porters, carrying seventeen law books, which were supposed to contain at least seventeen different reasons why the Eckington Company is superior to the Commissioners, and how it happens that the directors know what Congress might have done if the latest session had been six months longer. Before he got down to business fourteen more books were brought in, and the stack on Mr. Rideout's table looked formidable in contrast with the half

looked formidable in contrast with the half dozen books in front of Messrs. Thomas and Duvall, who accused Mr. Rideout of carrying the policy of delay to the extreme of reading enough extracts from the library on his table to keep the case running until Congress meets again.

Mr. Rideout first stated to the court that the first question to be settled was whether the case should not be heard on bill and answer. It had been so set by the complainant, the railroad company, He then read the bill of the company, and while he was so engaged a court attendant brought in thirteen more books, making the number of calf-bound foundation stones for the support of the railroad's argumentative structure a formidable one.

The Constitution. The Constitution.

Mr. Thomas read the answer of the Commissioners and then Mr. Rideout said that the case arose from the eagerness of the executive officers to carry on the business of the municipality without guidance from the courts, and he declared that the issue was whether on not the Commissioners have the right to act upon their own construction of the statutes to destroy the property of the company. He cited the Constitution of the United States to sustain his argument that the Commissioners have no right to tear down the poles and wires "without due process of law," and was quoting at length from Kent, Coke and other authorities to elucidate his theory of the meaning of this famous phrase when Judge Bingham interrupted him to call attention to the fact that the Commissioners, in their answer, have specificalthe courts, and he declared that the issue

call attention to the fact that the Com-missioners, in their answer, have specifical-ly declared that they do not intend forcibly to tear down the poies and wires.

Mr. Rideout read the answer and insisted that it was shrewdly drawn. The Commis-sioners, he pointed out, had said that they had not announced an intention to tear down the wires, but that they intended to see that the law should be enforced.

Rights of Congress.

"They have held a secret board meeting," he said, "and have heard a luminous statement on the statutes from their distinguished attorney, and have made up their minds what the law is, and now they propose to carry out their determination to enforce the law as they themselves construe

chiroce the law as they themselves construe it."

This, he argued, was the function of the courts, and the Commissioners should not be permitted to exercise it. He was proceeding to arraign the statute which terminates the period of the overhead trolley in town as an usurpation of the rights of the judiciary, for, he said, it is not within the power of Congress to declare that the charter and property of a corporation shall be forfeited after a certain day upon a failure to comply with certain conditions without a hearing. Judge Bingham again called his attention to the fact that Congress had the unquestioned right to make conditions to the charter, and that this was expressly stipulated and reserved in the original act.

Citing Authorities.

Citing Authorities.

Mr. Rideout insisted, however, that there without a hearing, and he quoted from Judge Bradley's opinion in the Metropolitan railway case to sustain his point. In his argument he kept going further back in history for his authorities, starting from Bradley, next quoting Webster, then the Magna Charta, and finally reaching the Eible. The carliest instance where provision was made for judicial ascertainment of the rights of a defendant, he said, was in the case of the establishment of cities of reference.

rights of a defendant, he said, was in the case of the establishment of cities of refuge, and then Mr. Rideout bethought him of an ever earlier case, and declared that before Adam was evicted from Eden he was given a chance to be heard.

Coming down to more modern instances, the attorney assailed the right of the Commissioners, to construct the lower feet. the attorney assailed the right of the Commissioners to construe the law on their own account, and then some parallels to illustrate his point. He supposed that Congress should pass a law prohibiting the use of any steam engine within a radius of four blocks of the new city post office—when completed—and that The Star should continue to run its engine after the day of limitation. The Commissioners, in such a case, he said, would have no right to destroy the engine without first giving The Star its legal right of a hearing.

Mr. Rideout spoke of the destruction of the old Mt. Vernon Square market by ex-Governor Shepherd, and denounced that act as a gross usurpation of authority, declaring that the only reason why the market was torn down that historic night was that no judge could be found in time to sign a writ of injunction.

Mr. Thomas Argues.

Again the court called attention to the fact that the Commissioners have disclaimed any intention to destroy the property, and Mr. Rideout insisted that the court could not forget the fact that it is common knowledge that if the restraining order had not been granted the poles and wires would have been torn down on the second day of July. The courts often had to take judicial cognizance of the newspapers, and they had strongly intimated that such would be the course pursued. After making another long argument about the constitutional rights of the company, Mr. Rideout gave way to Mr. Thomas, who said that a great deal of dust had been kicked up by the counsel for the corporation to becloud the case, which was a very simple one. He briefly reviewed the legislative status of the case, and then addressorder had not been granted the poles and lative status of the case, and then address-ed himself to the right of the Commisand ministry out the positive provisions of the law. He quoted a New York case in which certain telegraph and telephone poles and wires were taken down by the city after they had been condemned by the authorities. thorities.

In that case the courts upheld the city, and declared that the remedy of the corpo-

ration was an injunction to prevent a tres-pass in case it had a legal right to mainpass in case it had a legal right to maintain the poles and wires, and if they were wrongfully removed it might institute suit for damages.

Mr. Thomas reminded the court that the streets and avenues of this city belong to the United States, and thus are subject to legislating by Compress In the present

legislation by Congress. In the present case it has been decided by Congress that case it has been decided by Congress that the presence of poles and wires on New York avenue constitutes a nuisance, and five years of notice has been given to the corporation to remove them. There are no intricacles about the case, and the Commissioners have a plain duty to perform. In a Chicago case, which was cited, Mayor Carter Harrison had some obstructing and illegal wires cut down without having given notice to the telegraph company, and this action was sustained by the courts.

Violators of Law.

Violators of Law.

Mr. Thomas stated that there were very many such cases, as the question of how best to control the overhead wire evil had arisen in all the large cities of the country. The answer of the Commissioners, he said. completely wiped out the case of the company in a court of equity, and left it with-out a seg to stand on. The poles and wires are in illegal occupation of the street, and now constitute a nuisance The company has not shown any facts to demonstrate

the legality of the poles and wires. It would not do, he urged, for the company to be allowed to plead that it had not the time to obtain an extension from Congress, for if that were bermitted the laws of Congress might all be set aside on the most trivial excuses. He concluded by declaring that the case was extremely simple. The company is today a violator of the law and stood trying to restrain the agents of the law from eartying it into effect. The courts all over, had held that they could not grant injunctions against threatened or possible trespass, but that a writ could lie after trespass had actually been committed.

At this point a recess was taken, from 12:30 to 1 o'clock.

Not Covered by Charter.

When the court reconvened, Mr. Duvall nade a brief statement to reinforce the answer of the Commissioners. He said that the right and title of the complainant must be clearly shown before he can have a standing in a court of chancery. This has not been done in the present case, said Mr. Duvall, and, therefore, the argument of counsel for the company is a waste of time. The complainant, he went on, took its very life from Corgress, subject to the condi-tion that the national legislature might at tion that the national legislature might at any time after, amend, or repeal its charter. Mr. Duvall cited the case of the Baltimore and Potomac railroad, which, after purchasing a square of ground near Long bridge for use as a freight yard, to relieve Maryland avenue, was prevented by the action of the Commissioners from running a track along a street to reach this property. The District Supreme Court granted an injunction against the Commissioners, and this action was affirmed by the court in banc, but upon appeal by the Commissioners to the United States Supreme Court, the decision of the court below was reversed on the ground that no railroad corporation had the right to occupy any part of a street that has not been named in its charter. The Eckington road now seeks to name of such a right by its charter. The Eckington road now seeks to usurp an equivalent of such a right by maintaining a line of poles and wires along

maintaining a line of poles and wires along a street not now covered by its charter. It does not do for the corporation to say to the court that public convenience will be best subserved by doing something else than Congress has declared should be done. That plea must be made to Congress in an effort to secure a change of the law; but until such a change is made the court canuntil such a change is made the court can-not take consideration of such irrelevant matters.
Congress, said Mr. Duvall, might repeal
the charter, and the company would cease
to exist. But Congress would not take the
property or destroy it.

Killed by Congress.

Mr. Duvall referred to the effort to drag the Constitution into the case, and spoke of Mr. Rideout as his "antediluvian friend, who had tried to make Adam a party to the case." The company, he said, had brought into court a mummy, a dead thing, for the life of the overhead system on New York avenue between Boundary and 7th Streets had expired by virtue of the will of Congress, and the directors had asked the court, which did not originally give the road an existence, to revivify the corpse. Mr. Duvall said that Congress might have gone further without violating the Constitution, and provided for the determinant of the preparety that had become

the Constitution, and provided for the destruction of the property that had become an unlawful obstruction and a nuisance. He cited a case that was recently decided by the United States Supreme Court in support of this contention.

Mr. Duvall raised the question of who would be liable for damages in case anyone should be injured by the fact that the poles and wires opppied the street. In view of the fact that Congress had killed the right of the company to use the street in that manner after July 1, the Commissioners would clearly be liable for the injury to human life or to property caused by the obstructions that became such at the expiration of the time set by Congress.

Closing Argument.

Closing Argument.

Mr. Rideout began his final argument at about 2 o'clock, and started in by attacking the citations made by the other side. He called attention to the fact that there is an overhead, trolley line being operated in Georgetown, and claimed that this was an unjust discrimination against the Eckan injust discrimination against the Eckington. He argued that the act which terminates the life of the trolley is complex, and would puzzle any judge to interpret, and yet the Commissioners had undertaken to construe it themselves. He contended that the other side had not once met the real issue in the case.

This closed the arguments, and then Judge Bingham announced that he would decide the case in the morning, and if anything should happen to prevent he would

thing should happen to prevent he would then set a time at which he would an-

STILL MORE DELAY

could be no forfeiture of charter or prop- Treasury Department's Ultimatum to Post Office Contractors.

> According to information obtained at the Treasury Department, Tharp & Bond, the New York contractors for ironwork on the Washington city post office, are delaying their correspondence with the department. just as they have been charged with having delayed their work on the building. The eight days' notice of the termination of their contract expired Saturday. The operation of this notice was based on the condition that the terms of the contract were not fulfilled within the period stated

The Last Letter.

Owing to the non-delivery of the necessa ry material no progress was made in the work up to Saturday last. On that day Assistant Secretary Hamlin, who had been given special charge of the matter, addressed a letter to the contractors, calling for specific information as to the causes of the non-performance of their contract, to-gether with a statement as to what might be expected of them in the event of the granting of their application for an exten sion of time. They were given forty-eight hours to reply. Nothing was heard from them until yesterday. An Unsatisfactory Reply.

Their letter was not satisfactory, inasmuch as it failed to answer several important interrogatories with respect to the

It formed the basis of a conference of treasury officials yesterday afternoon, the result of which was that Acting Secretary Wilke sent Tharp & Bond an official tele-gram making a peremptory demand for an explicit reply to the interrogatories contained in department's letter of Saturday. An answer to this telegram is expected in tomorrow morning's mail, and if it is not satisfactory, action will be taken that may prove disastrous to the delinquent firm.

The Delay in the Work

The work on the building is delayed mainly because of the absence of two iron beams. Nearly 80 per cent of the iron material is on hand, but none of it can be put in position until after the two beams in question have been put in place. The prosecution of the stone and brickwork is practically at a standstill because of the same circumstance. Information was received at the Treasury Department that these two beams were shipped from the mill at Pottsville, Pa., on the 9th instant, and should arrive here today or tomorrow. Their delivery would permit the prompt resumption of work on the entire iron structure and the stone and brickwork hesities.

of work on the entire iron structure and the stone and brickwork besides.

Everything at present depends on these beams, and in case they arrive today, or tomorrow, it is possible that the department may conclude to extend the time of Tharp & Bond, who would then be in a better position to complete the work than the government or any other contractor.

SALE OF CANAL PROPERTY

C. and O. Real Estate East of Rock Creek Ordered Sold By consent of the parties interested, in

cluding the state of Maryland, Judge Cole this afternoon directed a foreclosure of the mortgage given by the Chesapeake and Ohio Canal Company May 15, 1878, for \$817. Ohio Canal Company May 15, 1878, for \$817,-584.17, and the sale of all the real estate held by the company east of Rock creek, at public auction. For the two parcels of land leased by the Washington Gas Light Company, the company has offered \$100,000, and the court directs that that bid be accepted, if no greater sum is offered at the public sale, the two parcels to be sold for no less amount. Charles F. S. Beale is appointed trustee to sell, his bond to be \$100,-000. **ROBBED THE STATION**

Bold Case of Till Tapping at Harper's Ferry.

ROBBERS ESCAPE ON A TRAIN

They Took the Station Master Unawares.

HUNTING THE RASCALS

Last night a few minutes before midnight the Baltimore and Ohio railroad denot at Harper's Ferry, W. Va., was the scene of one of the most daring robberies that has been committed in this section of the country during recent months, and happening, as it did, so soon after the at tempt a few days ago to blow up a train with dynamite, it is suspected that the dynamiters had a hand in it. The robbery vas committed while the 9:50 train from this city was standing on the track in charge of the station was seeing to loading a car with peaches to go west. Two men, who had been on the train, committed the robbery and after making the successful haul they stepped back upon the

cessful haul they stepped back upon the moving train and departed.

When the train pulled up at the station the two young men stepped off, and as soon as they saw the station master step to the train to see to the handling of the freight they tore off an iror grating, forced a window and entered the station building. When they got inside the office of the passenger agent a jimmy was used on one of the drawers, and the daring burglars carried off what money there was in it. carried off what money there was in it.

Just what amount of money they got no
one except employes and officials of the
company know, but it is known that an
adjoining drawer contained between \$500
and \$1,000, and this the burglars missed.

It Was Neatly Done. The job was a quick and successful one, and the pair of expert crooks boarded the train as it moved from the station going west, and no doubt saw the station master as he started back to the station, where he made the discovery that the robbery had

een committed.

Just what action was taken is not known. Just what action was taken is not known, but it is supposed that the operator was called out to send word to Shenandoah Junction or Martinsburg to have the train searched for the men, but if this was done the men were not captured, so far as could be ascertained this afternoon.

The men who committed the deed were seen and can be identified it caught. One of them, it is said, answers the description given of the man who was evidently the leader of the gang, who used dynamite on the track near the Big Monocacy.

Scouring the Country.

Captain Grannan, who is in charge of the railroad corps of detectives, was made acquainted with the facts in time to send ome of his expert detectives on the trail of the men early this morning, and it is possible that they will be apprehended. It is thought likely that the robbers did not ride far on the train after committing the robbery, but got off at the first stop-

the robbery, but got off at the first stopping place, and perhaps they jumped from the train while the cars moved slowly around some one of the several sharp curves near the mountains.

Information of the robbery reached the police here this afternoon, and the authorities of the towns and counties along the line of the road will probably assist in the search for the robbers. In the event of their having jumped from the train a short distance above Harper's Ferry it is possible that they returned this way on a freight train or on the canal, and may have reached here today.

The search of the country for the men will be a thorough one, as the depredations on the railroad during the past few months have been numerous, and Capt. Grannan has made up his mind to catch some of them if it takes all summer to do so.

DECLARED INSANE.

W. P. Bagaly Drew a Revolver on s Walterman P. Bagaly, the Washingtonian who went all the way to Milan. Italy, to get a wife, and who married a real countess, now in serious trouble. The countess is the third woman whom he ha taken as his wife, his first wives having been divorced from him. His last wife has now entered suit for divorce, and has taken all the testimony on her side of the legal controversy. Now the husband is incarcer-

controversy. Now the husband is incarcerated in the isane asylum, his arrest being due to his conduct in a 4½ street eating house Tuesday afternoon.

Lawyer Campbell Carrington, who is the wife's counsel in the case, has been assisted by Lawyer H. W. Wiswell, who has taken most of the testimony, and in this way Bagaly became acquainted with Wiswell. Tuesday afternoon Bagaly was in the office of Lawyer Johnson, his counsel, when he saw Wiswell pass the door. He followed him to the lunch room, and entering the place drew a large pistol from his pocket and pointed it in the lawyer's face, saying, "Somebody is going to be killed tosaying, "Somebody is going to be killed to-day, and it is not Lawyer Campbell Car-Lawyer Wiswell was badly frightened at

Lawyer Wiswell was badly frightened at the sight of the weapon, but all he did was to threaten the man with arrest if he did not put away the pistol and leave the place. Bagaly, who the lawyer says had been drinking, walked out of the place and disappeared.

Fearing he might do some trouble, Wisrearing ne might do some trouble, wis-well swore out a warrant and had him arrested. The case would have been tried in Judge Miller's court today, but several physicians examined the man who has been three times a husband and declared that the insane asylum was the place for

that the insane asymm was the place to him.

When this had been done a nglle pros. was entered in the case, and the unfortunate man was sent over the river.

It is said that Bagaly went or was sent to the asylum some time ago, and when he learned that his wife was going to apply for a divorce he returned home, apparently

Mrs. Olga Bagaly, the wife, it is alleged, has spent more than \$100,000 on her Amelican husband, and Mr. Carrington is confident she will be granted a divorce.

DISTRICT GOVERNMENT.

Fire Escape Law.

As briefly outlined in The Star of vester day, the attorney for the District has advised the Commissioners against any com-promise with the representatives of Wilard's Hotel on the fire escape question. The Commissioners said today that it eemed to be the impression that the law relating to the erection of fire escapes was inoperative. This was a mistake. There was ample law, and it would be enforced when the time came. There was the pro-vision that no license could be granted a vision that no license could be granted a hotel which did not comply with the law. This was mandatory, and the Commissioners had no discretion. So it would seem that unless the hotels put up fire escapes they could not obtain a license.

Yesterday at noon bids were opened for erecting a fire escape upon Willard's Hotel, in case the owners refused to erect. erecting a fire escape upon winarus rictel, in case the owners refused to erect one, the cost of which was to be assessed against the property. Only one bid was submitted. It was that of Alexander B. Burns, and his price for the work was

Smallpox Hospital.

Work will shortly be commenced upon the new Smallpox Hospital, which is to be ccated in the neighborhood of the present hospital, immediately back of the jall. .The contract was awarded yesterday to Columbus Thomas & Son. A disinfecting plant, costing \$1,600, will be provided for in the new hospital. It is expected that the hospital will be ready for occupancy by the 1st of November.

New Inspector of Coal.

The Commissioners this afternoon ap-pointed Mr. John C. Howard inspector and veigher of coal. Mr. Howard takes the place of his father, who recently died. Although but eighteen years of age, the new weigher is possessed of all the requirements necessary to a good administration.

Celso Caesar Moreno Indicted by the Grand

For Publishing a Statement That the Italian Minister Was in League . With the Padroni.

The grand jury this afternoon returned an indictment against Celso Caesar Mo-reno, a well-known Italian-American, charging him with libeling Zavier Fava, the Italian ambassador.

The indictment, a voluminous document,

recites the passage by Congress, February 26, 1885, of an act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in this country, and the amendatory act of February 27, 1887, and refers at great length to certain anscrupulous and rapacious persons in this country, Italians commonly known as padroni, as being persons violating the two acts by trafficking and speculating in the labor of the needy and ignorant persons whom they induce to leave their homes in Italy for this country. The unlawful contracts made with these poor persons by the padroni are referred to as so harsh, burdensome and unreasonable as to involve the surrender to the padroni of their personal liberty, freedom of action and earnings to such an extent as to practically reduce the unfortunate ones to the condition of serfs and slaves of the padroni.

So flagrant became these violations of the so nagrant became these violations of the laws, says the indictment, that the matter became the subject of correspondence between this government and that of Italy during April, May, June and July of last year. As one of the results of that correspondence, Ambassador Fava, May 7, 1894, appointed one Alessandro Oldrini an event of the Italian government to interagent of the Italian government to interagent of the Itanian government to inter-view and advise Italian immigrants to this country, and, with the consent of the Sec-retary of the Treasury, this agent was sta-tioned at Eillis Island, New York harbor, where the immigrants landed.

The Charge Against Moreno. The indictment then recites that Celse

Caesar Moreno, "being a person of evil and wicked mind, and of a most malicious disposition, did contrive, wickedly, maliclously and unlawfully, to bring Ambassador Fava into public scandal, infamy and disgrace, by writing and publishing, and causing to be written and published, November 17, 1894, a certain false, scandalous, maliclous and defamatory libel concerning the ambassador in a newspaper, known as the Colored American, printed, issued and circulated here." The alleged libel is as follows: "In order to continue to control the Italian padroni and slaves, to continue to receive the lion's share of the spoils, to continue to bilind the American police, to continue to mislead the United States commissioners of immigration at Ellis Island, and to continue to keep in ignorance the American people and government on the nefarious traffic in human flesh, viz., the traffic in Italian slaves of both sexes and of all ages, 'Don Basilio' Fava, the ambassador of the King of Italy, has appointed the self-styled professor, Count Oddrini, a veteran accomplice of the said padroni, and a go-between for Ambassador Fava, the Italian consuls and the padroni all over this country, as the chief of the bureau for the protection of the Italian inmigrants.

"The Italian ministers, Corti, Blanc, Fava, sader Fava into public scandal, infamy ian immigrants.
"The Italian ministers, Corti, Blanc, Fava,

"The Italian ministers, Corti, Blanc, Fava, and consuls, Deluca, Raffo, Riva in New York, Galli in Philadelphia, Manassero and Scintli and Squitli in Chicago and Lombertenghi in San Francisco, have received millions of money from the Italian padroni as their share of the spoils derived from this traffic of Italian slaves, or, better said, of human flesh. But they have outraged of human flesh. But they have outraged and dishonored Italy, America and hu-

A Bench Warrant Issued. Upon the filing of the indictment a bench warrant was directed by Judge Cole to issue for the arrest of Moreno, and a deputy marshal was at once sent out to make the arrest.

THE ANACOSTIA STRIKE.

No New Movements—Denial Regarding Reported Loan. American Cotton Oil...

Americ There is no change today in the strike

present passenger traffic facilities have come to stay for a good while.

The lawn party for the benefit of the striking employes of the Anacostia Railroad Company, which, as already mentioned in The Star, is to be held under the auspices of some of the leading citizens of Anacostia on the grounds of Mr. W. Marden King Friday night, promises to be a much greater success than even the most enthuslastic among its promoters at first hoped for.

Did Not Negotiate the Loan. Riggs & Co. today made the following statement: "The statement that a loan of \$100,000 was made in March last to the Anacostia Railway Company through or by us is without foundation in fact, and we would be pleased if you would so

There was a story abroad this morning that preliminary steps have been taken to form a syndicate which has for its object the purchase of a controlling interest in

A Rumored Purchase

the Anacostia Railroad Company, and which, if consummated, will place the man-agement of the road in other hands than those now at the head of affairs. Real Estate Matters. David S. Hendrick has bought of T. Franklin Schneider, for \$13,500, lot 202 in square 156, on Q street between 17th and 18th streets northwest.

Baltimore Markets.

Baltimore, July 11.—Flour dull, unchanged-receipts, 9.852 barrels; shipments, 1.377 barrels; sales, 150 barrels. Wheat ansettled—spot and month, 67a674; August, 67a674; September, 68a 684; steamer No. 2 red, 64a644;—receipts, 29.852 bushels; sales, 10.000 bushels; sachear wheat by sample, 65a68; do on grade, 62½6674. Corn quiet —spot, 48a484; month and August, 47½ bid, September, 48a484; month and August, 47½ bid, September, 48a484; month and August, 47½ bid, September, 48a484; receipts, 23.221 bushels; sales, 14,000 bushels; southern white corn, 50; do, yellow, 51a52. Oats steady—No. 2 white western, 23; No. 2 mixed, 3049a31—receipts, 19.361 bushels; shipments, 50 bushels; stock, 63.88 bushels. Rye innetive—receipts, 234 bushels; stock, 6,146 bushels, lay firm—cholec timothy, \$10.50. Grain freights quiet, unchanged. Sugar firm, unchanged. Butter and eggs steady, unchanged. Cheese firm, unchanged. Baltimore Markets.

Washington Grain Market.

Reported by the Grain Exchange.

Spring patent flour, per barrel, 3.704.60; spring straight flour, per barrel, 3.503.70; winter patent flour, per barrel, 3.703.30; winter straight flour, per barrel, 3.503.75; winter extra flour, per barrel, 3.503.50; No. 2 wilte oats, per bushel, 353.35; No. 2 wilte oats, per bushel, 323.31; No. 2 mixed oats, per bushel, 523.53; No. 2 timeter, per ton, 1.500.15.00; No. 2 timethy hay, per ton, 1.400.15.00; No. 2 timethy hay, per ton, 1.500.15.00; No. 1 mixed hay, per ton, 14.500.15.00; No. 1 mixed hay, per ton, 17.500.11.00; bulk bran, per ton, 15.00.21.60; bulk middlings, per ton, 17.500.15.00; the straw, per ton, 10.00.12.80; wheat straw, per ton, 5.00.5.50. The above quotations for car lots delivered on track, Washington. Washington Grain Market.

CHARGED WITH LIBEL FINANCE AND TRADE

Effect of the Government Crop Reports' Publication.

MARKING UP OF THE GRANGERS

Selling to Realize Then Caused a Decline.

GENERAL MARKET REPORTS

Special Dispatch to The Evening Star.

NEW YORK, July 11.—The publication of the government crop report was the basis of a decidedly strong opening in today's stock market, the advantages of which were subsequently destroyed by profes-sional trading for the decline. The area le-voted to the raising of corn is reported to be nearly 4,000,000 acres in excess of the previous record in this particular, and the prospects for an enormous crop are un-usually good. The phenomenal yield of 1889 did not approach the one in prospect this year by millions of bushels.

The Granger shares were marked up sharply in consequence of this showing, Burlington, as usual, responding most easily to the demand. The higher prices soon attracted the attention of the room, and selling to realize immediately became superior to the buying, a circumstance which resulted in liberal sales for the short account. The prevailing sentiment at once became bearish, and the entire list yielded to persistent operations against improve-

ment.

Reports of frost in the wheat helt contributed liberally to the decline. The narrowness of speculation was at all times pronounced, and the outlock for immediate improvement hinges entirely upon the exigencies of the short interest, which has assumed large proportions during the week. Missouri Pacific opened strong on purchases made in anticipation of improved earnings. The company reported an increase of \$96,000 for the first week in July, but the circumstance passed unheeded, a 1-4 per cent decline from initial being forced in sympathy with the weakness elsewhere recorded.

Chicago Gas sold up 1 per cent from a

forced in sympathy with the weakness elsewhere recorded.

Chicago Gas sold up 1 per cent from a strong opening, but became weak under renewed selling by those most conspicuous in the covering movement of yesterday. A decline of 2 1-2 per cent from last prices resulted from these sales, and rumors of further complications were freely circulated. The situation in this property is far from settled, and cautious trading will be rewarded for some time to come. The property has undoubted merit, but until its resources are permitted to be developed under both legal and legislative sanction, stockholders have little to look forward to in the way of dividends. Eventually proceedings will be inaugurated which will insure profitable results, but until the present vagueness is relieved confidence will be wanting.

vagueness is relieved confidence will be wanting.

Sugar sold down 3 per cent under a good volume of business, the tendency of which met with little opposition. Certain grades of refined sugars were advanced 1-16 of a cent a pound, and orders are still taken, subject to delay in execution and delivery. Tennessee Coal and Iron was weak at a decline of ½ per cent, the decline seemingly being consistent with the purposes of the larger interests.

The recognized leaders of the bear forces were active in the market during the final hour, and the lowest level of the day was, in many instances, recorded during this period. At some points of depression it was evident that the purchases exceeded the sales, the appearance of weakness being encouraged in order to facilitate the buying.

FINANCIAL AND COMMERCIAL.

The following are the opening, the highest and the lowest and the closing prices of the New York stock market today, as reported by Corson & Macarthey, members New York stock exchange. Correspondents Messrs. Moore & Schley, No. 80 Broadway.

Messrs. Moore & Schiey, No. 30

Stocks. Open. High. Low. Closes.

American Sugar. 112½ 112½ 109½ 109½

American Tobacco. 118 118 111½ 112½

American Cotton Oil. 26½ 26½ 36½ 36½ 36½

Atchison. 10% 10% 10½ 10½

Canada Southern. 562½ 55% 55% 55% 180% 180% 180% 180% Erie Louisville & Nashville .. 60% 60% Louisville & Nashville . 60% 60% 58% 58% 58% Long Island Traction . 10 10 99 98 Metropolitan Traction . 101% 101% 101 101% Manhattan Elevated . 111% 111% 110% 111 ichigan Central..... 8436 New York Central
N. Y. & N. Eng. Cfs. 53
N. Y. C. & St. Louis. 16M
Northern Pacific. 6
Northern Pacific, Pfd. 18
North American. 17M
Pacific Mail. 29M
Pacific Mail. 29M Phila & Reading.
Pullman Pai Car Co.
Southern Railway.
Phila Traction
Texas Pacific
Tenn. Coal & Iron
Union Pacific
Wabash.
Wabash, Pfd
Wheeling & L. Erie, Pfd,
Western Union Tel.
Wiscousin Central.
Silver. Phila & Reading 14% 14% 18% 87% 18% 8% 20% 91 K 91% 91% 5% 5% U. S. Leather. 18% 18% 17 U. S. Leather, Pid. 91 91 57%

Washington Stock Exchange.

Sales—regular call—12 o'clock m.—Metropolitan Railroad 6a, \$1,000 at 103½; \$1,000 at 103½; \$1,000 at 105½; \$1,000 at 105½; \$2,000 at 105½; \$1,000 at \$1,05½; \$2,000 at 105½; \$2,000, 112 bid, \$13 asked. U. S. 4s, 1925; 123½ bid. U. S. 5s, 1904, 116 bid, 116½; asked. U. S. 4s, 1902; 123½ bid. U. S. 5s, 1904, 116 bid, 116½; asked.

District of Columbia Bonds.—20-year fund 5s, 103 bid. 30-year fund 6s, pold, \$12½ bid. Waster stock 7s, 1901, currency, 117 bid. Water stock 7s, 1904, currency, 117 bid. Water stock 7s, 1904, currency, 117 bid. Water stock 7s, 1904, asked.

Miscellaneous Bonds.—Washington and Georgetown Railroad conv. 6s, 1st, 132 bid, 140 asked. Washington and Georgetown Railroad conv. 6s, 105 bid, 106 asked. Belt Railroad conv. 6s, 105 bid, 106 asked. Belt Railroad 7s, 90 asked. Columbia Railroad 6s, 111 bid, 111¾ asked. Washington Gas Company 6s, series B, 113 bid. Washington Gas Company 6s, series B, 114 bid. Washington Gas Company 6s, series B, 114 bid. Washington Gas Company 6s, series B, 114 bid. Washington Gas Company 6s, 100 bid. American Security and Trust 5s, F, and A, 100 bid, 102 asked. Washington Market Company ext. 6s, 104 bid. Masonic Hall Association 5s, 103½ bid. Washington Light Infantry 12 fs, 100 bid. National Bank Stocks.—Bank of Washington Market Company ext. 6s, 104 bid. Farmers and Mechanics, 105 bid, 105 asked. Washington Light Infantry 12 fs, 100 bid. Seed. Usashington Stocks.—Washington Market Companies.—National Bank Stocks.—Bank of Washington Security and Trust, 123 bid. 150 asked. Washington Loan and Trust, 123 bid. 150 asked. Washington Security and Trust, 123 bid. 150 asked. Washington Seed. Lancoln, 99½ bid. Captial, 115 bid. 106 aske Washington Stock Exchange. Bett. 25 asked. Georgetown and Tennallytown, 50 nsked.

Gas and Electric Light Stocks.—Washington Gas, 614 bid, 55 asked. Georgetown Gas, 50 bid. U. S. Electric Light, 133 bid, 135 asked.

Insurance Stocks.—Firements, 38 bid. Franklin, 43 bid, 50 asked. Metropolitan, 70 bid. Corcorn, 52 bid. Potomac, 45 bid. Arlington, 150 bid. 165 asked. Gorman-Linerican, 160 bid. National Union, 10 bid. 18 seked. Columbia, 13 bid. 154 asked. Riggs, 73 bid. 84 asked. Feople's, 53 bid. 155 asked.

Title Insurance Stocks.—Real Estate Title, 10 bid. 15 asked. District Title, 10 bid. 13 asked.

District Title, 10 bid. 13 asked.

Telephone Stocks.—Pemsylvania, 38 bid, 50 asked. Chesapenke and Potomac, 57 bid. 61 asked. American Graphophone, 3 bid. 34 asked. Pennantic Gun Garriage, 29 bid. 30 asked.

Miscellaneous Stocks.—Great Falls Ice, 145 asked. Norfolk and Washington Stocks.—67 bid. 51 asked. Norfolk and Washington Steenboat, 90 bid. Maggenthaler Linotype, 194 asked.

Grain and Cotton Markets. Close. 67'4-14 69'4 41'1-12 36'4 23'1-18 11.35 6.45 6.20